

CLASSIFICATION OFFICE DECISION

Title of publication: Image 3

Other known title(s): Not stated

OFLC ref: 1100905.002

Medium: Computer Image File Printout

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 30 September 2011

Date of direction to issue a label: No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file printout is deemed to be objectionable because it promotes and supports the exploitation of children for sexual purposes.

The image is a visual record of sexual exploitation. It shows a man fondling a young girl's genital area. Images such as this invite viewers to see children as available for adult sexual gratification. The effect is to create or reinforce a sexual interest in children and encourage their sexual exploitation.

The classification given to this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is a reasonable limitation on the right to freedom of expression and reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.